

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN GALECKI,

Defendant.

Case No. 2:15-cr-00285-APG-PAL

**ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORTS OF FINDINGS AND
RECOMMENDATION ON MOTION TO
DISMISS AND MOTION TO SUPPRESS**

(ECF Nos. 43, 44, 79, 80)

On June 22, 2016, defendant Benjamin Galecki filed a Motion to Dismiss (ECF No. 43) and a Motion to Suppress Evidence (ECF No. 44). On September 19, 2016, Magistrate Judge Leen entered her Reports of Findings and Recommendation (ECF Nos. 79, 80) recommending that both motions be denied. No objections have been filed to those Reports. Thus, I am not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has confirmed that a district court is not required to review a magistrate judge's report and recommendation where no objection has been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise."); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (Based on *Thomas* and *Reyna-Tapia*, "district courts are not required to conduct any review at all . . . of any issue that is not the subject of an objection."). Because there is no objection to Judge Leen's recommendation, I may accept the recommendations without review. Therefore,

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1 **IT IS HEREBY ORDERED** that Magistrate Judge Leen's Reports of Findings and
2 Recommendation (**ECF Nos. 79, 80**) **are accepted** and approved in their entirety. Defendant
3 Galecki's Motion to Dismiss (**ECF No. 43**) **is DENIED** and his Motion to Suppress Evidence
4 (**ECF No. 44**) **is DENIED**.

5 Dated: April 5, 2017.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE